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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/526,142	02/06/2006	Martin Esselbrugge	VOB-37872	6218
116 7590 07/23/2008 PEARNE & GORDON LLP 1801 EAST 9TH STREET SUITE 1200 CLEVELAND, OH 44114-3108				
EXAMINER				
MAYO, TARA L				
ART UNIT		PAPER NUMBER		
3671				
MAIL DATE		DELIVERY MODE		
07/23/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/526,142

Applicant(s)

ESSELBRUGGE ET AL.

Examiner

TARA L. MAYO

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 February 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☒ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 28-37, 39-42 and 45-55 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 51 and 55 is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☒ Claim(s) 28-37, 39-42, 45-50 and 52-54 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 February 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsman's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. This application is in condition for allowance except for the following formal matters:

minor grammatical and claim drafting errors.

Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 25 USPQ 74, 453 O.G. 213, (Comm'r Pat. 1935).

2. The Examiner proposes the claims be amended as follows:

In claim 28 on lines 10 through 11, "such similar" will be deleted and --said-- inserted therefor.

In claim 28 on line 12, "the other" will be deleted and --said another-- inserted therefor.

In claim 28 on line 18, "of another similar projection of the other suppression element" will be deleted and --of a projection of said another suppression element-- inserted therefor.

In claim 28 on line 19, immediately following "several" and prior to "suppression", --said-- will be inserted.

In claim 29 on line 1, "A" will be deleted and --The-- inserted therefor.

In claim 30 on line 1, "A" will be deleted and --The-- inserted therefor.

In claim 31 on line 1, "A" will be deleted and --The-- inserted therefor.

In claim 32 on line 1, "A" will be deleted and --The-- inserted therefor.

In claim 33 on line 1, "A" will be deleted and --The-- inserted therefor.

In claim 34 on line 1, "A" will be deleted and --The-- inserted therefor.

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In claim 35 on line 1, "A" will be deleted and --The-- inserted therefor.

In claim 36 on line 1, "A" will be deleted and --The-- inserted therefor.

In claim 37 on line 1, "A" will be deleted and --The-- inserted therefor.

In claim 39 on line 1, "A" will be deleted and --The-- inserted therefor.

In claim 40 on line 1, "A" will be deleted and --The-- inserted therefor.

In claim 41 on line 1, "A" will be deleted and --The-- inserted therefor.

In claim 42 on line 1, "A" will be deleted and --The-- inserted therefor.

In claim 45 on line 1, "A" will be deleted and --The-- inserted therefor.

In claim 45 on lines 1 through 2, "which" will be deleted and --wherein said element-- inserted therefor.

In claim 46 on line 1, "A" will be deleted and --The-- inserted therefor.

In claim 47 on line 1, "A" will be deleted and --The-- inserted therefor.

In claim 47 on line 1, immediately following "claim 28," and prior to "at least", --wherein the element is-- will be inserted.

In claim 48 on line 1, "A" will be deleted and --The-- inserted therefor.

In claim 48 on line 1, immediately following "claim 28," and prior to "at least", --wherein the element is-- will be inserted.

In claim 49 on line 1, "A" will be deleted and --The-- inserted therefor.

In claim 49 on line 1, immediately following "claim 28," and prior to "at least", --wherein the element is-- will be inserted.

In claim 50 on line 1, "A" will be deleted and --The-- inserted therefor.

In claim 52 on line 1, "A" will be deleted and --The-- inserted therefor.

In claim 53 on line 1, "A" will be deleted and --The-- inserted therefor.

In claim 54 on line 2, immediately following "on a" and prior to "water", --body of-- will be inserted.

Conclusion

A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to TARA L. MAYO whose telephone number is (571)272-6992. The examiner can normally be reached on Monday through Friday 8:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas B. Will can be reached on 571-272-6998. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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/TARA L MAYO/

Primary Examiner, Art Unit 3671

tlm

19 July 2008

Application Number**Application/Control No.**

10/526,142

Examiner

TARA L. MAYO

**Applicant(s)/Patent under
Reexamination**

ESSELBRUGGE ET AL.

Art Unit

3671